

REGULAR CITY COUNCIL MEETING
SEPTEMBER 14, 1998

PRESENT

R. Dale Roper
Wesley Bloomfield
Gayle Bunker
Bruce Curtis
Robert Dekker
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

Dorothy Jeffery

City Recorder

ALSO PRESENT

Richard Waddingham
Neil Forster
Deb Greathouse
Greg Schafer
Jane Beckwith
Joann Ross
Jim Morris
Paul Morris
Curt Crosby
Derin Phelps
Boy Scouts and Leaders

City Attorney
Public Works Director
City Librarian
City Employee
City Resident
Lamell Morris family member
Lamell Morris family member
Lamell Morris family member
KNAK Radio
Millard County Chronicle/Progress

Mayor Roper called the meeting to order at 7:00 p.m. In the absence of City Recorder Dorothy Jeffery, Public Works Director Neil Forster acted as Secretary. Mayor Roper stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Wesley Bloomfield offered an invocation, after which Mayor Roper led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held August 24, 1998 were presented for consideration and approval. Mayor Roper noted two minor grammatical errors which were corrected.

Following discussion, Council Member Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held August 24, 1998, as corrected. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Gayle Bunker MOVED to approve the accounts payable, in the amount of \$45,228.75. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESSCITY ATTORNEY RICHARD WADDINGHAM: RESOLUTION APPROVING TRANSFER OF CABLE TELEVISION FRANCHISE FROM INSIGHT COMMUNICATIONS TO TCI

RESOLUTION NO. 98-257

A RESOLUTION CONDITIONALLY APPROVING THE TRANSFER OF AN EXISTING CABLE TELEVISION FRANCHISE, "FRANCHISE", HERETOFORE GRANTED BY DELTA CITY TO INSIGHT COMMUNICATIONS COMPANY, L.P., PURSUANT TO DELTA CITY ORDINANCE NO. 90-122 AND SETTING FORTH TERMS AND CONDITIONS FOR APPROVING SUCH TRANSFER OF SAID FRANCHISE FROM INSIGHT COMMUNICATIONS COMPANY, L.P. TO TCI OF INDIANA, INC.

City Attorney Waddingham reviewed the provisions of the proposed resolution and advised the Council that he had been on the telephone today with the TCI attorney and had addressed all the concerns of the Council. In addition, he has received agreement to comply with all conditions set forth in the proposed resolution.

Following discussion, Council Member Robert Dekker MOVED to approve Resolution No. 98-257, a resolution conditionally approving the transfer of an existing cable television franchise, "Franchise", heretofore granted by Delta City to Insight Communications Company, L.P., pursuant to Delta City Ordinance No. 90-122 and setting forth terms and conditions for approving such transfer of said franchise from Insight Communications Company, L.P. to TCI of Indiana, Inc. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there

were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Gayle Bunker	Yes
Bruce Curtis	Yes
Robert Dekker	Yes
Glen Swalberg	Yes

The motion carried unanimously.

NEW BUSINESS

MAYOR R. DALE ROPER: PROPOSED SINGLE LOT SUBDIVISION LOCATED AT 311 SOUTH CENTER STREET

Mayor Roper noted that a public hearing had been held just prior to this meeting for the purpose of receiving public comment regarding the proposed subdivision, located at 311 South Center. The property is owned by Lamell Morris. There were no negative comments received at the public hearing. Mayor Roper reminded the Council that the Planning & Zoning Commission had reviewed this item and recommended approval of the single lot subdivision, with the condition that an Off Site Improvement Agreement be signed, requiring participation in any future sidewalk, curb and gutter improvement in the area.

Following discussion, Council Member Glen Swalberg MOVED to approve the single lot subdivision requested by Lamell Morris at 311 South Center, with the condition that an Off Site Improvement Agreement be signed and with the condition that, when the property to the east of the house is developed and improved, Mr. Morris will install sidewalk along the north side of the home property. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions. There being none, he called for a vote. The motion passed unanimously.

KEN CHAMBERLAIN, BOND COUNSEL: DRAFT RESOLUTION CALLING FOR SPECIAL BOND ELECTION

Mayor Roper advised the Council that they had received a copy of a draft resolution calling for a special bond election approving general obligation bonding for the proposed expansion of the Delta City Library. Mayor Roper explained that the general obligation bond would provide the Delta City funding to go along with funding requested from the Community Impact Board.

Council Member Wesley Bloomfield explained changes in the draft resolution which the Library Board would like to incorporate, if approved by legal counsel. Mayor Roper noted that the amount of bonds to be offered will be up to \$143,990.00, with the remaining funding for the library expansion coming from a Community Impact Board (CIB) grant, a Community Development

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Block Grant (CDBG), Millard County, and Delta City. In addition, the Council discussed and clarified other items contained in the draft resolution.

Mayor Roper will advise Bond Counsel Ken Chamberlain of the changes requested by the Council and Library Board.

OTHER BUSINESS

Mayor Roper reminded the Council that, at a previous meeting, \$1,000 had been set aside as a donation for the preservation of historic Van's Hall. Most of the money has been collected for replacement of the roof and it has been requested that the \$1,000 donation committed by Delta City be paid at this time.

Council Member Glen Swalberg MOVED to disburse the \$1,000 donation previously set aside for preservation of Van's Hall. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper advised the Council that there is a public information meeting scheduled at 8:00 p.m. on Tuesday, September 15, 1998 at the Millard County Exhibit Building. The subject of the meeting will be the proposed private prison for Millard County. Mayor Roper encouraged all Council Members to attend the meeting and become as informed as possible regarding the proposal, inasmuch as it appears the matter will be on the ballot for the November 3rd election.

Council Member Glen Swalberg told the Council that the Millard County Master Plan has been completed and a meeting is being held this evening at 7:30 at the Millard County Court Room for any of those interested in the plan.


Council Member Gayle Bunker requested that the Council set a date for a public hearing regarding the proposed Delta City Library expansion in order to provide information to the public about the expansion project. It was suggested that the public hearing could be held in conjunction with, or just prior to, the open house which the library is going to have on October 21, 1998. It was determined that a public hearing regarding the library expansion will be held on October 21, 1998 at 6:30 p.m.

Council Member Robert Dekker asked if the medical costs for the gentleman who was injured by a Fire Department water cannon at the Fourth of July Parade had been paid. Attorney Waddingham


advised the Council that the medical bills had been given to Delta City. Delta City has an interlocal agreement with the Millard County Fire Service District which holds Delta City harmless in the event of incidents such as this. The medical bills have been forwarded to County Attorney LeRay Jackson for payment by Millard County.

Mayor Roper asked if there were any other comments, questions, or other items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper declared the meeting adjourned at 7:35 p.m.



R. DALE ROPER, Mayor



DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 09-28-98